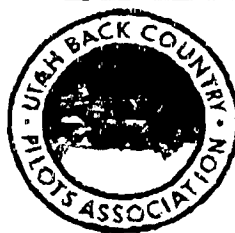


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January 25, 2002

Attorney General John Ashcroft  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Mr. Ashcroft,

For the past three years, the Microsoft antitrust suit has lingered in the federal courts. Six months ago, round-the-clock, mediated negotiations began, and last November, a settlement was proposed. That settlement is pending approval, and next week, it will be determined whether or not the terms are satisfactory. I believe they are. Fully half of the plaintiff states in the case do not agree and are actively seeking to undermine the settlement on the federal level and extend litigation against Microsoft.

The settlement is not only just, it is fair. There is no reason to continue litigation. Microsoft has even agreed to terms that extend to policies and technology that were not declared unlawful by the federal court of appeals. All of the conditions in the settlement are aimed at restoring a fair competitive atmosphere within the technology market and preventing further antitrust violations on Microsoft's part. For example, Microsoft will refrain in future from taking retaliatory action when software developers or computer makers introduce a product into the market that directly competes with Microsoft technology. Microsoft has also agreed to reformat future versions of Windows to support non-Microsoft software, and furnish third parties acting under the terms of the agreement with a license to pertinent intellectual property rights to prevent infringement.

I do not believe that additional action is necessary on the federal level. The settlement addresses the concerns both of the defendant and the plaintiffs, and further litigation will not only be redundant, it will also be time consuming and costly. It is time to move on. I urge you to support the finalization of the settlement.

Sincerely,

Karl Spielman